

MINUTES OF THE NORTH BARRINGTON PLAN COMMISSION MEETING WHICH WAS HELD MAY 12, 2003 AT THE NORTH BARRINGTON VILLAGE HALL, 111 OLD BARRINGTON ROAD, IN SAID VILLAGE

1. Call to Order & Roll Call

At 7:00 P.M. Chairman Bartlett called the meeting to order and the Village Clerk called the roll:

Present: Martin Pais, Daniel Nass, Sidney Bartlett, Eleanor McDonnell,
Denis Taillon
Absent: Jim Archer, Jeff Overton
Also Present: Kathy Nelander, Village Clerk
Don Klein, Plan Commission Advisor
Nancy Harbottle, Arnstein & Lehr, Village Attorney
J. W. Braithwaite, Arnstein & Lehr, Village Attorney
Linda Starkey, Village President
Doris Larson/Larry Grunkemeyer, 512 Miller Road
Scott Russell, 43 S. Wynstone Drive
Harvey & Elaine Silets, 125 Arrowhead Lane
William Beilke, 130 Arrowhead Lane
George Harris, 209 S. Main St., Wauconda
Frank Palumbo, 120 Arrowhead Lane
Kelly Rafferty, Building & Zoning Officer
Al Stefan, Village Engineer

2. Approve Minutes:

a. Plan Commission Special Meeting/Public Hearing, April 21, 2003

The Minutes of the Special Meeting/Public Hearing were made available to the Board.

Motion: Martin Pais moved that the Minutes of the April 21, 2003 Plan Commission Special Meeting/Public Hearing be approved; seconded by Eleanor McDonnell.

Discussion: There was no discussion.

Vote on Motion

By Roll Call: Ayes: Denis Taillon, Martin Pais, Daniel Nass, Sidney Bartlett, and
Eleanor McDonnell
Nays: None
Absent: Jim Archer and Jeff Overton
Abstain: None

Chairman Bartlett declared the Minutes of the April 21, 2003 Plan Commission Special Meeting/Public Hearing approved and put on file.

b. Plan Commission Special Meeting, April 29, 2003

The Minutes of the Special Meeting/Public Hearing were made available to the Board.

Motion: Martin Pais moved that the Minutes of the April 21, 2003 Plan Commission Special Meeting/Public Hearing be approved; seconded by Eleanor McDonnell.

Discussion: There was no discussion.

Vote on Motion

By Roll Call: Ayes: Denis Taillon, Martin Pais, Daniel Nass, Sidney Bartlett, and Eleanor McDonnell
Nays: None
Absent: Jim Archer and Jeff Overton
Abstain: None

Chairman Bartlett declared the Minutes of the April 29, 2003 Plan Commission Special Meeting approved and put on file.

3. (Continued) Petition of Mr. & Mrs. Frank Palumbo to Amend the Zoning Map as it pertains to 120 Arrowhead Lane from the existing zoning classification, R-1 (Five Acre Residential) to the zoning classification R-2 (Two Acre Residential).

There was lengthy discussion in the public hearing portion of the meeting and the matter was continued to the regularly scheduled Plan Commission meeting on June 9, 2003.

4. Consideration of a text amendment to the Village of North Barrington regarding Zoning Ordinance Section ZR-8-2(B) SETBACKS.
Chairman Bartlett read the current Zoning Ordinance.

Section ZR-8-2(B) SETBACKS: From a park, beach, lake or waterway adjoining the front or rear of a lot or plot, or from streets adjoining both front and rear of a lot or plot, the setback shall be not less than the average of the setbacks of existing similar improvements on the plots within two hundred feet, but if there are no such improvements then at least thirty feet.

Chairman Bartlett also read the proposed amendment.

Section ZR-8-2(B) SETBACKS: Where streets adjoin both the front and the rear of a lot or plot, the setback shall be not less than the average of the setbacks of existing similar improvements on the plots within two hundred feet on the same sides of the streets, excluding however, the setback of one existing structure which is the greatest distance from the street; if there are no such improvements then the setback shall be a minimum of thirty feet.

Chairman Bartlett noted all the supporting materials from the Village Building and Zoning Officer, Kelly Rafferty, from Village Engineers Al Stefan and Andrea Pracht, as well as from Village Attorney J.W. Braithwaite. As explained in a memo from Kelly Rafferty, with respect to setbacks from lakes or waterways, the Village has historically relied upon and enforced the setback required from a stormwater management perspective, such as those required under the

present Lake County and North Barrington watershed Development Ordinances. The memo further states that since the lakes and waterways of the Village are adequately protected by the setback provisions of the Watershed Development Ordinances, that he would support the Zoning Amendment removing the reference to park, beach, lake or waterway from the setbacks requirements. In a memo from Village Engineers Al Stefan and Andrea Pracht, it states that based on their review of the buffer requirements for streams and or a body of water, it was their opinion that Title IV Building Regulations, Chapter 7 - Lake County Watershed Development Ordinance was more comprehensive than the Village's requirements for setbacks in the Building Standards portion of the Ordinance. According to Village Engineers, based on the WDO, the following buffers should be enforced within North Barrington: 100 foot buffer - Honey Lake, 30 foot buffer on each side of the channel - North Flint Creek (linear channel with a watershed greater than one square mile), and 50 foot buffer (linear channel with a watershed between 20 acres and one square mile).

Village Attorney J.W. Braithwaite explained that the current Ordinance requires that the front and rear yard setbacks be the average of all homes within 200 feet, and that this could include homes which are not on the same street as the property affected. He explained that the proposed Amendment provides that where streets adjoin both the front and rear of a lot, the setback is the average of properties within 200 feet on the same side of the street. He noted that the Amendment would also exclude one home within 200 feet which is setback the greatest distance from the street. He also explained that it was not logical that there be a requirement of a setback based on the average of setbacks within 200 feet only when the property happens to abut a waterway, beach or lake, which are typically at the rear of the property or happens to have a front and rear yard on two streets.

There was lengthy discussion and questions for the consultants from the Commission.

Motion: Martin Pais moved to recommend to the Village Board the text amendment to the Zoning Ordinance, Section ZR-8-2(B) that "where parks and streets adjoin both the front, the rear, or side of a lot or plot, the setback shall not be less than 100 feet from the edge of the road or whatever is the higher requirement within the zone. The setback requirements of the Watershed Development Ordinance take precedence in cases where waterways exist."; seconded by Denis Taillon.

Discussion: There lengthy discussion.

Vote on Motion

By Roll Call:	Ayes:	Denis Taillon, Martin Pais, Daniel Nass, Eleanor McDonnell, and Chairman Bartlett
	Nays:	None
	Absent:	Jim Archer and Jeff Overton
	Abstain:	None

Chairman Bartlett declared the motion approved and that the recommendation for approval would be made to the Village Board.

5. Comprehensive Plan Review of Chapters

The Plan Commission discussed Chapter 8 - Transportation, and Chapter 10 - Utilities and Associated Support Systems. Slight content changes and grammatical changes were incorporated into the document. Another Special Meeting is scheduled for Tuesday, May 27, 2003 at 7:00 p.m. to finalize the remaining Chapters.

6. Old/New Business

There was no old or new business to discuss.

7. Adjournment

Motion: Eleanor McDonnell moved the Meeting be adjourned; seconded by Martin Pais.

Discussion: There was no discussion.

Vote on Motion:

The voice vote was unanimous in favor.

At 10:00 P.M. Chairman Bartlett declared the Meeting adjourned.

These Minutes were approved at the Plan Commission Meeting held _____

ATTEST:

Kathy Nelander, Village Clerk

Plan Commission 5/12/03

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